

64
means for inserting data corresponding to the
identifier into the digital data.--

IN THE DRAWINGS:

Attached is a Request for Approval of Drawing Changes accompanying amended drawings showing the changes in red ink and yellow highlighter.

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

In the Official Action, the Examiner objects to the drawings. Specifically, the Examiner argues that Figures 1A through 1E should be labeled as "Prior Art" because only that which is old and known in the art is depicted. In response, Figures 1A through 1E of the drawings have been amended to include a "Prior Art" legend as suggested by the Examiner. Accordingly, it is respectfully requested that the objection to the drawings be withdrawn.

In the Official Action, the Examiner objects to the specification for certain informalities listed therein. In response, the specification has been amended as suggested by the Examiner. Accordingly, it is respectfully requested that the objection to the specification be withdrawn.

In the Official Action, the Examiner objects to claims 92 and 93 as being identical in scope and suggests canceling claim 93. Although Applicants respectfully disagree, claims 92 and 93 have been canceled thereby rendering the objection moot.

In the Official Action, the Examiner rejects claims 108-111 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner argues that claim 108 recites the limitation "device" in line 2 for which there is insufficient antecedent basis since the claim is written to a method. In response, the preamble of claim 108 has been amended to refer to the steps of a method. Thus, the preamble of claim 108, as amended, is consistent with the method steps of its body. Accordingly, it is respectfully requested that the rejection of claims 108-111 under 35 U.S.C. § 112, second paragraph, be withdrawn.

In the Official Action, the Examiner rejects claims 1, 3, 4, 47, 49, 50, 94, and 98 under 35 U.S.C. § 102(b) as being anticipated by Barton (5,646,997). Additionally, the Examiner rejects claims 2, 5-17, 22-26, 33-37, 42-45, 48, 51-63, 68-72, 79-83, 88-91, 95-97, 99, and 100-107 under 35 U.S.C. § 103(a) as being unpatentable over Barton and further in view of Schneier (Applied Cryptography). Furthermore, the Examiner rejects claims 27-32, 46, 73-78, 92, and 93 under 35 U.S.C. §

103(a) as being unpatentable over Barton in view of Schneier and further in view of Conner (5,579,393). Lastly, the Examiner rejects 38-41, 84-87, and 108-116 under 35 U.S.C. § 103(a) as being unpatentable over Barton in view of Schneier and further in view of Bramall (5,771,101). In response, the independent claims have been amended to emphasize the features of dependent claims 17, 22-24, 26, 36, 38, 40, 63, 68-70, 72, 82, 86, 95, 96, 99, 100, and 114 which applicants respectfully submit are not disclosed in, or not obvious from, the cited references. Furthermore, Applicants respectfully submit that independent claims 108 and 112 patentably distinguish over the prior art and are allowable.

With regard to claims 17, 22-24, 63, and 68-70, there is no teaching or suggestion in the cited references to place a public key, needed to decrypt the digital signature, into the associated data.

With regard to claims 26, 72, 95, 96, 99, and 100, the cited references also do not teach or suggest receiving associated data from an external source such as from a global positioning satellite transmission (claims 26 and 72), from a radio transmission (claims 95 and 99), or via an Internet link (claims 96 and 100).

With regard to claims 36 and 82, there is also no teaching or suggestion in the cited references of transmitting a hash and signature to a third party over the Internet and receiving a time stamp from the third party over the Internet.

Furthermore, with regard to claims 38, 40, 86, 108, 112, and 114, there is no teaching or suggestion in the cited references of recognizing a user of the device whose identifier is stored in memory and inserting the identifier as the associated memory (claim 38 and 108, 112), particularly where the means to recognize the user is a fingerprint recognition means (claims 40, 86, and 114).

Thus, claims 17, 22-24, 26, 36, 38, 40, 63, 68-70, 72, 82, 86, 95, 96, 99, 100, 108, 112, and 114 are not rendered obvious by the cited references because neither Barton, Schneier, Conner, nor Bramall, whether taken alone or in combination with the knowledge of someone of ordinary skill in the art, do not teach any of the features outlined above.

Thus, applicants respectfully submit that claims 17, 22-24, 26, 36, 38, 40, 63, 68-70, 72, 82, 86, 95, 96, 99, 100, 108, 112, and 114 patentably distinguish over the cited references and are allowable. Independent claims 109-111 and 113-116, being dependent upon allowable independent claims 108 and 112 are allowable therewith. Furthermore, claims 4, 17, 42-46, 50, 63, 88-93, and 94-107 have been canceled, thereby rendering the rejections thereof moot.

In view of the patentability of claims 17, 22-24, 26, 36, 38, 40, 63, 68-70, 72, 82, 86, 95, 96, 99, 100, and 114, their corresponding independent claims have been amended and/or new independent claims added to recite the distinguishing features thereof.

Specifically, for the Examiner's convenience, the following is an outline of the claim amendments which have been made (other than those previously discussed with regard to 35 U.S.C. 112):

Claim 1 has been amended to include the features of claim 17 and intervening claim 4 (additionally, claims 4 and 17 have been canceled and those claims depending thereon have been amended);

Claim 47 has been amended to include the features of claim 63 and intervening claim 50 (additionally, claims 50 and 63 have been canceled and those claims depending thereon have been amended);

New claim 117 has been added merging the features of claims 1, 4, and 22 (new claims 118 and 119 have also been added, claim 118 depends from claim 117 and adds the features of claim 23 and new claim 119 depends from claim 118 and adds the features of claim 24);

New claim 120 has been added merging the features of claims 1, 4, 25, and 26;

New claim 121 has been added merging the features of claims 1 and 36 as well as intervening claims 34 and 35;

New claim 122 has been added merging the features of claims 1 and 38 as well as intervening claim 4 (claim 123 has also been added which depends from claim 122 and has the features of claim 40);

New claim 124 has been added merging the features of claims 47, 50, and 68 (claims 125 and 126 have also been added, claim 125 depends from claim 124 and adds the features of claim 69, claim 126 depends from claim 125 and adds the features of claim 70);

New claim 127 has been added merging the features of claims 47 and 72 as well as intervening claims 50, 65, and 71;

New claim 128 has been added merging the features of claims 47 and 82 as well as intervening claims 50, 80, and 81; New claim 129 has been added merging the features of claims 47 and 86 as well as intervening claims 50 and 84;

New claim 130 has been added merging the features of claims 94 and 95;

New claim 131 has been added merging the features of claims 94 and 96;

New claim 132 has been added merging the features of claims 98 and 99;

New claims 133 has been added merging the features of claims 98 and 100; and

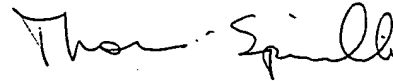
New claim 134 has been added merging the features of claims 112 and 114.

In view of the above, it is respectfully submitted that this application is in condition for allowance.

Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner

believes that a telephone conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,



Thomas Spinelli
Registration No. 39,533

SCULLY, SCOTT, MURPHY & PRESSER
400 Garden City Plaza
Garden City, New York 11530
(516) 742-4343

TS/cm

Encl. (Request for Approval of Drawing Changes)